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FRANK C. NICHOLAS (33,983)  
Name of applicant, assignee or registered representative  
*Frank C. Nicholas*  
Signature  
April 16, 2004  
Date of Signature

PATENT  
Case No. AUS920010190US1  
(9000/33)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

MARIA A. HIMMEL, ET AL.

Serial No.: 09/821,134

Filed: MARCH 29, 2001

Title: METHOD AND SYSTEM FOR  
SCHEDULE BASED ADVERTISING  
ON A MOBILE PHONE

Examiner: CHO, UN C.

Group Art Unit: 2682

RESPONSE TO NON-FINAL OFFICE ACTION DATED JANUARY 20, 2004

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is a response to a Non-Final Office Action dated January 20, 2004.

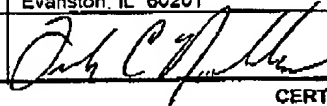
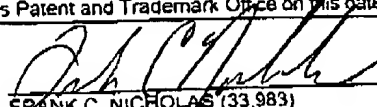
PTO/SB/21 (12-97) approved for use through 10/01/01. Costs US\$31-00/1. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE  
Under the Paper Reduction Act of 1996, the duration is required to respond to a collection of information within a duplicate, 3-1/2 inch OMB control number.

<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Attorney Docket No.	AUS920010190US1 (9000/33)
	Application Number	09/821,134
	Filing Date	MARCH 29, 2001
	First Named Inventor	MARIA A. HIMMEL
	Group Art Unit	2682
	Examiner	CHO, UN C.

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> <b>Response to Non-Final Office Action Dated January 20, 2004</b>  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Status Letter  <input type="checkbox"/> Petition for Extension of Time Request (dup) <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Supplemental Information Disclosure Statement, PTO-1449, art <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Assignment Papers  <input checked="" type="checkbox"/> Drawings: Replacement Sheet 1/8  <input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition  <input type="checkbox"/> To Convert a Provisional Application  <input type="checkbox"/> Applicant Initiated Interview Request Form  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Express Abandonment Under 37 CFR 1.138  <input type="checkbox"/> Request of Refund	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Post Card Receipt  <input type="checkbox"/> Additional Enclosure(s) (please identify below). <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; height: 20px; width: 100%;"></div>
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. <u>09-0447</u> (IBM Corporation). A duplicate copy of this sheet is enclosed.		
<input checked="" type="checkbox"/> I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. <u>09-0447</u> (IBM Corporation). A duplicate copy of this sheet is enclosed.		

## CALCULATION OF FEE

				Small Entity		or	Large Entity	
	Claims After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	Rate	Add'l Fee
Total		Minus		0	x \$9=	0	x \$18=	
Indep.		Minus		0	x \$43=	0	x \$86=	
First Presentation of Multiple Dep. Claim					+ \$145=	---	+ \$290=	
					total add'l fee		total add'l fee	
					\$ 0		\$ 0	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm or Individual name	FRANK C. NICHOLAS Registration No. 33,983 CARDINAL LAW GROUP 1603 Ormington Avenue, Suite 2000 Evanston, IL 60201		
Signature		Date	April 16, 2004
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**CONFIDENTIAL ATTORNEY-CLIENT  
PRIVILEGED COMMUNICATION**

Date: APRIL 16, 2004

To: EXAMINER CHO  
U.S. PATENT AND TRADEMARK OFFICE

Fax #: (703) 872-9314

From: FRANK C. NICHOLAS  
Phone #: (847) 424-2521

Client/Matter No.: AUS920010190US1 (9000/33)

# of Pages: 29  
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